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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 14, 2025

SEAN F. MCVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TROY ANTHONY PESINA,
Plaintiff,

v.

DOC OFFICERS JOHN DOE,
JEREMY WILSON, SPD OFFICERS
JOHN DOE 1, JOHN DOE 2, JOHN
DOE 3, and JOHN DOE 4,

Defendants.

NO: 2:25-CV-0144-TOR

ORDER DISMISSING ACTION FOR
FAILURE TO COMPLY WITH
FILING FEE OR *IN FORMA
PAUPERIS* REQUIREMENTS

Plaintiff, an individual incarcerated at Spokane County Detention Services, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 on May 1, 2025. ECF No. 1. Plaintiff did not pay the \$405.00 filing fee (\$350.00 statutory filing fee, plus \$55.00 administrative fee) to commence this action or properly seek leave to proceed *in forma pauperis*.

On June 4, 2025, this Court issued an Order to Comply with Filing Fee or *In Forma Pauperis* Requirements within thirty days. *See* ECF No. 4. Specifically, the

ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING
FEE OR *IN FORMA PAUPERIS* REQUIREMENTS -- 1

1 Court directed Plaintiff to submit a signed Declaration and Application to Proceed
2 *In Forma Pauperis* and supplied the form. *Id.* at 2–3. The Court further directed
3 Plaintiff to submit a *certified* copy or copies of his inmate account statement(s) for
4 the six-month period immediately preceding May 1, 2025, from each facility where
5 he was confined from November 1, 2024, to May 1, 2025, as required by 28 U.S.C.
6 § 1915(a)(2). *Id.* at 3.

7 In the alternative, Plaintiff could have paid the full \$405.00 fee to commence
8 this action. *Id.* The Court cautioned Plaintiff that his failure to comply with the
9 Order would be construed as his consent to the dismissal of his action. *Id.* He has
10 filed nothing further in this action.

11 Accordingly, for the reasons set forth above and in the Court’s prior Order,
12 ECF No. 4, **IT IS ORDERED:**

13 (1) This action is **DISMISSED WITHOUT PREJUDICE** for failure to
14 comply with the filing fee and *in forma pauperis* requirements of 28
15 U.S.C. §§ 1914 and 1915.

16 (2) The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal
17 of this Order would not be taken in good faith and would lack any
18 arguable basis in law or fact.

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1 The Clerk of Court is directed to enter this Order, enter judgment, provide
2 copies to Plaintiff at this last known address, and **CLOSE** the file.

3 **DATED** July 14, 2025.



4 A handwritten signature in blue ink that reads "Thomas O. Rice".
5 THOMAS O. RICE
6 United States District Judge
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ORDER DISMISSING ACTION FOR FAILURE TO COMPLY WITH FILING
FEE OR *IN FORMA PAUPERIS* REQUIREMENTS -- 3